UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,546	10/17/2001	Baron D. Williams	A-69368/MAK/LM	6764

7590 10/06/2004	**EXAMINER**
FLEHR HOHBACH TEST	DO, ANH HONG
ALBRITTON & HERBERT LLP	

ART UNIT	PAPER NUMBER
2624	

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _16,17,19 and 20_ is/are allowed.

6)☒ Claim(s) _1-5,7-10,12-15,18,21 and 22_ is/are rejected.

7)☒ Claim(s) _6 and 11_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _6/6/2003_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.   Claims 21 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

These claims, that recite some components referring to the apparatus

claims, depend upon claims 18 and 19, respectively, which recite a computer program

for performing the steps referring to the method claims.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.
>
> (a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4.   Claims 1-5, 7-10, 12-15, 18, and 21 are rejected under 35 U.S.C. 102(a) as being

anticipated by Berger et al. (U.S. Patent No. 5,091,975).

Regarding claim 1, Berger discloses:

- dividing a signature (corresponding to the claimed sequence of points) into segments of successive points (col. 3, lines 21-23);

- encoding (corresponding to the claimed compressing) each of the segments inherently irrespective of the encoding of the other segments (col. 3, lines 23-26).

Regarding claim 2, Berger teaches dividing a signature (i.e., a sequence of points) into segments of S successive points (Fig. 2 shows signature 32 is divided into segments of successive points, for instance, segment O-c includes successive points a, b, c).

Regarding claim 3, Berger teaches determining the value of S points (col. 3, lines 67-68, teaches calculating the value of the points).

Regarding claim 4, Berger teaches generating multiple compressions of the sequence, each of the multiple compressions at different value of S (col. 4, lines 14-17, teaches one segment is encoded as the value of F; and col. 4, lines 45-48, teaches each encoded segment having different values).

Regarding claim 5, Berger teaches generating a compression of the sequence of for each value of S from a minimum to a maximum (col. 4, lines 19-24, teaches the encoded values of points from MIN 0-7 to MAX 152-255).

Regarding claim 7, Berger teaches:

- generating multiple compressions of the sequence, each of the multiple compressions at different value of S (col. 4, lines 14-17, teaches one segment is encoded as the value of F; and col. 4, lines 45-48, teaches each encoded segment having different values);

- determining the value of S to be the value of S generating the smallest of

multiple

compressions (col. 4, line 20, teaches the smallest of multiple compressions).

Regarding claims 8-10, Berger teaches compressing each of the segments of

successive, i-bit points into segments of j-bit points, where j=i (=8 bits) and j may vary

from segment to segment, and j is minimum number of bits necessary to represent the

data in the segment (col. 3, lines 23-24; col. 5, lines 12-33).

Regarding claim 12, Berger teaches the sequence of points is an electronic

signature (col. 2, lines 43-46, teaches capturing an electronic signature).

Regarding claim 13, Berger teaches compressing each of the segments

inherently without losing any of the data in any of the segments (col. 3, lines 23-24).

Regarding claim 14, Berger teaches compressing each of the segments

inherently losing data as directed by an invoking user (col. 5, lines 18-28, teaches

reducing bits from 8 to 4).

Regarding claim 15, Berger teaches converting DrawToData to relative-

movement data (col. 2, lines 40-46, teaches converting DrawToData from paper copy

12 to signature data in tablet 24).

Regarding claim 18, Berger discloses a program executed by a computer

inherently including a data store to perform the steps of claim 1 (col. 3, lines 21-26).

Regarding claim 21, Berger teaches:

- a data store (col. 2, line 54, teaches the data store for storing the record signal);

- a CPU for executing the computer program in the data store (col. 2, lines 48-49,

teaches a computer inherently including a CPU for executing a program);

- a link, communicatively coupling to the data store and the CPU (Fig. 1 shows

cables 16 and 26 serving as links communicatively coupling to the data store and the

CPU inherently included in computer 18).

Allowable Subject Matter

5.   Claims 16, 17, 19 and 20 are allowed.

6.   Claims 6 and 11 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

7.   Claim 22 would be allowable if rewritten to overcome the rejection(s) under 35

U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the

limitations of the base claim and any intervening claims.

8.   The following is a statement of reasons for the indication of allowable subject

matter:

Regarding claim 6, the prior art, either taken singly or in combination, does not

teach:

- generating a compression of the sequence for each value of S from a minimum

of 2 to a maximum equal to the number of points in the sequence.

Regarding claim 11, the prior art, either taken singly or in combination, does not teach:

- setting j for the segment to the ceiling of the base-2 log of that largest coordinate; and truncating from points of the segment most significant bits exceeding j bits.

Regarding claims 16 and 19, the prior art, either taken singly or in combination, does not teach:

- setting j for the segment to the ceiling of the base-2 log of that largest coordinate; and truncating from points of the segment most significant bits exceeding j bits.

Regarding claim 17, since it depends upon claim 16, it is also allowable for the same reason.

Regarding claim 20, since it depends upon claim 19, it is also allowable for the same reason.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H DO whose telephone number is 703-308-6720. The examiner can normally be reached on 5/4-9.
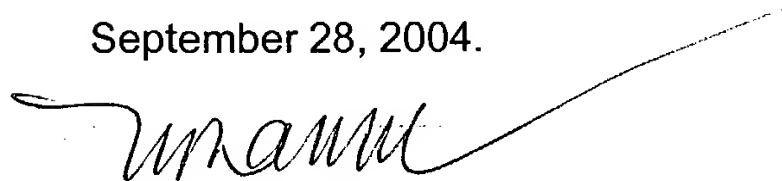
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID K MOORE can be reached on 703-308-7452. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 28, 2004.

ANH HONG DO
PRIMARY EXAMINER